

REMARKS

In this response, Applicant has amended claim 11. Following entry of the amendments, claims 11-20 are pending in the application. (Claims 12-20 are all dependent on claim 11.)

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and the remarks which follow.

Rejection Under 35 U.S.C. § 112

In the Office Action, claim 12 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, Applicant has amended claim 11 and respectfully submits that this rejection has been addressed. Specifically, it seems that the claim 11 term “in the interior thereof” has been interpreted as referring to the “second region” and that the “second region” is to be specified to be “in the interior of the first region.” However, this interpretation was not intended. Instead, the “second region” (and the “first region”) were being intended that both are “in the interior of the fuel cell stack.” Claim 11 was not intended to refer to a positional relationship of the second region within the first region. Accordingly, to clarify this meaning, claim 11 has been amended to recite: “with both the first region and the second region being located in the interior of the fuel cell stack thereof.”

Rejections Under 35 U.S.C. § 102

In the Office Action, claims 11-20 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Publ. No. 2003/0077501 to Knights et al. (hereafter “Knights”). Applicant respectfully traverses these rejections for the following reasons and other reasons that will become apparent.

First, as with the rejection under Section 112, it seems that the claim 11 term “in the interior thereof” has been interpreted as referring to the “second region,” namely that the “second region” is to be “in the interior of the first region.” However, this interpretation was not intended. Instead, the “second region” (and the “first region”) were being specified to be both “in the interior of the fuel cell stack.” Claim 11 was not intended to refer to the positional relationship between the first and second regions. Accordingly, to clarify the

intended meaning, claim 11 has been amended “with both the first region and the second region being located in the interior of the fuel cell stack thereof.”

Second, the invention recited in claim 11 differs from the Knights disclosure. Specifically, Knights increases the width of the flow passage at the outlet as compared with the inlet. However, this structure is made in consideration of the fact that the reactant concentration decreases and the water content increases at the outlet. Knights intends to provide greater access to the catalyst layer and better water removal at the outlet by adopting this structure (*see* paragraph [0032] of Knights). There is no relation with the temperature distribution in the fuel cell stack.

Further, as another difference, in the fuel cell stack of Knights, the gas diffusion would increase toward the outlet due to the above-mentioned flow passage structure. On the contrary, the temperature would become high at the center region of the fuel cell stack as in the conventional fuel cell stack.

Accordingly, Applicant respectfully submits that this means that Knights fails to disclose the feature of the present invention which configures the gas passages, the ribs, etc., so that the gas diffusion is improved in the first region (i.e., high temperature region).

Concerning claims 12-20, Applicant respectfully submits that these claims are patentable for at least the same reasons as claim 11. These claims are all dependent on claim 11.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a

check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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